

AN ORDINANCE

**99420**

**MODIFYING THE GRANDE COMMUNICATIONS CABLE FRANCHISE AGREEMENT, WHICH WAS AUTHORIZED BY ORDINANCE NO. 91616, AND BECAME EFFECTIVE ON JULY 18, 2000, IN ORDER TO EXTEND THE REOPENER TERM OF THE FRANCHISE TO MARCH 31, 2005.**

\* \* \* \* \*

**WHEREAS**, the City of San Antonio is a party to a Cable Franchise Agreement (the "Franchise") with Grande Communications, Inc. (Grande) pursuant to authority granted in City Ordinance No. 91616, which Agreement became effective on July 18, 2000; and

**WHEREAS**, pursuant to Section 4 b. (i) and (ii) of the Franchise, the original reopener term was for four (4) years and that period expires on July 18, 2004, however, the parties have agreed to extend the reopener term to March 31, 2005; and

**WHEREAS**, this extension is not intended to be interpreted as a franchise renewal as that term is generally understood pursuant to the federal Cable Act, 47 U.S.C. §546, or the City's Charter, and is further not intended to modify any other provision of the Franchise other than the term, and neither party waives any rights that it may have had prior to the adoption of this extension;  
**NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The Amendment to Extend the Reopener Term of the Franchise between the City and Grande to March 31, 2005 is hereby approved. A copy of the Reopener Extension Amendment is attached hereto, in substantially form, and incorporated herein for all purposes as Attachment I. A fully executed version of this amendment will be attached hereto and incorporated herein upon full execution by both parties.

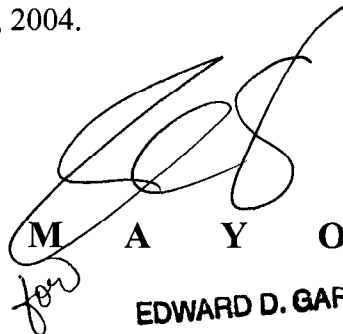
**SECTION 2.** In no event shall this Extension be construed as a waiver of the parties' rights, duties or obligations under the Franchise. Except as expressly modified herein, all terms and provisions of the Franchise shall remain in full force and effect, enforceable in accordance with their terms. Franchise renewal proceedings under the Cable Act have commenced and are ongoing. Each party reserves its rights under that law.

**SECTION 3.** This Ordinance shall take effect on the tenth (10<sup>th</sup>) day after the date of passage hereof.

**PASSED** and **APPROVED** this 24th day of June, 2004.

ATTEST:

*Leticia M. Vazquez*  
City Clerk

  
M A Y O R  
for EDWARD D. GARZA

APPROVED AS TO FORM:

*M. Zentucha*  
for City Attorney